

SSS:TAW

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- against -

KIMBERLY FAUSTIN,

Defendant.

AFFIDAVIT AND COMPLAINT
IN SUPPORT OF AN
ARREST WARRANT

(T. 18, U.S.C. § 1709)

18-M-313

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EASTERN DISTRICT OF NEW YORK, SS:

JACABED VENTURA, being duly sworn, deposes and says that she is a Special Agent with the Office of the Inspector General for the United States Postal Service (“USPS-OIG”), duly appointed according to law and acting as such.

In or about and between December 2017 and April 2018, both dates being approximate and inclusive, within the Eastern District of New York, the defendant KIMBERLY FAUSTIN, being an employee of the United States Postal Service (“Postal Service” or “USPS”), did knowingly, intentionally and unlawfully embezzle, steal, abstract and remove mail entrusted to her and which came into her possession intended to be conveyed by mail and carried and delivered by any carrier, messenger, agent or other person employed by the Postal Service.

(Title 18, United States Code, Section 1709)

The source of your deponent's information and the grounds for her belief are as follows:¹

1. I am a special agent assigned to the New York Division of the USPS-OIG. I have been a special agent since May 2004 and am currently assigned to the Brooklyn Mail Theft Team in the New York Division. I am familiar with the facts and circumstances of this investigation, including those facts and circumstances set forth herein, from both my personal participation in the investigation and from my conversations with others.

2. On or about March 16, 2018, USPS received notice from an individual who stated, in sum and substance, that she had discovered a bag of discarded mail at her address in Brooklyn, New York. On the same day, a Postal Service employee retrieved the discarded bag of mail and contacted USPS-OIG for further investigation.

3. On or about March 20, 2018, I reviewed the discarded bag of mail and identified 15 bundles of mail and 61 opened greeting cards. I subsequently accessed a USPS database, which provides tracking information regarding when individual pieces of mail are processed at a USPS processing plant. The database allowed me to determine when the USPS received the above-mentioned mail, when the mail was processed for delivery, and the scheduled delivery route and date. Using this information, I was able to determine that the defendant KIMBERLY FAUSTIN was an employee of the USPS and was the postal employee scheduled to deliver the above-mentioned discarded mail between March 12, 2018 and March 16, 2018.

¹ Because the purpose of this complaint is to state only probable cause, I have not described all of the relevant facts and circumstances of which I am aware.

4. On or about April 9, 2018, I prepared one “test piece” of mail, which was addressed to a specific address on Menahan Street, Apt. 5A, Brooklyn, New York 11237. While this address was a real address, there was no apartment 5A. According to USPS protocol, a postal employee must return undeliverable mail back to the Postal Service. The test piece was an envelope containing a greeting card along with \$25 in cash. The cash was marked with an ultraviolet pen for identification. This marking is invisible to the naked eye.

5. On April 10, 2018, I placed the test piece in the defendant KIMBERLY FAUSTIN’s collection area of her assigned route for the day. Throughout April 10, 2018, I conducted surveillance of the defendant KIMBERLY FAUSTIN and observed her conduct her assigned deliveries. After the completion of her duties for the day, FAUSTIN left her assigned place of work in Brooklyn, New York. I confirmed that FAUSTIN did not return the “test piece” as undeliverable at her assigned station. That same day, special agents from the USPS-OIG approached the defendant and inquired about the test piece. The defendant initially denied knowledge about the test piece and showed the Special Agents the cash in her pockets. Using an ultraviolet florescent light, I confirmed that the same \$25 in cash that I previously marked with an ultraviolet pen was in the defendant’s possession. The defendant then stated, in sum and substance, that the greeting card that previously contained the \$25 in cash was in a particular trash can. Special agents retrieved the greeting card from the trash can indicated by the defendant. The defendant was subsequently placed under arrest.

6. On April 10, 2018, I interviewed the defendant KIMBERLY FAUSTIN at the USPS-OIG’s office in Manhattan, New York, and advised her of her Miranda rights,

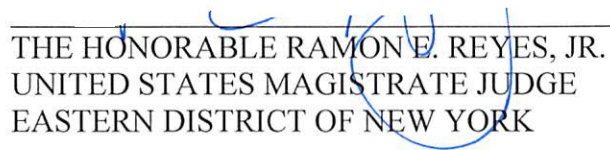
which she indicated she understood and waived. The defendant then stated both verbally and in writing, in sum and substance and in part, that she had been opening mail since December 2017, that she had opened at least 720 greeting cards, and stolen approximately \$1,700 in cash and 250 gift cards from the mail. Special agents recovered 25 gift cards from the defendant's person.

WHEREFORE, your deponent respectfully requests that the defendant KIMBERLY FAUSTIN be dealt with according to law.



JACABED VENTURA
Special Agent
Office of the Inspector General for the Postal
Service

Sworn to before me this
11st day of April, 2018



THE HONORABLE RAMON E. REYES, JR.
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK